GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES - Social Welfare Department – Sri P. Rangaiah, former Watchman, SWGH, Rentachintala, Guntur District – Regularization of services - With effect from the date of completion of five years continuous service but not from the year 1985 - Orders - Issued.

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SOCIAL WELFARE (SERVICES) DEPARTMENT

G.O.RT.No. 94 Dated: 28-02-2017

Read the following:

1. The Commissioner of Social Welfare, Lr. No. K2/18026/94, Dt. 28-12-1998.
2. G.O.Rt.No. 577, S.W (Ser.I) Dept., Dt. 5-10-1999.
3. From the Hon'ble APAT , Orders , Dated:11-7-2007 in O.A No. 1030/2001.
4. From the Commissioner of Social Welfare, Lr. No. LC/979/2008, Dt. 19-4-2008.
5. Govt. Memo No. 3303/S.W.Ser.I/2008-4, Dt. 7-7-2008.
6. From the Hon'ble APAT , Orders , Dated:11-7-2007 in O.A No. 4845/2009.
7. From the Hon'ble High Court Orders, Dt. 9-7-2012 in W.P.No. 20307/2016.
8. From the Hon'ble Supreme Court Ordres, Dt. 5-7-2016 in SLP(C) CC No. 11235/2016 in W.P.No. 20307/2012.

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The Commissioner of Social Welfare, Hyderabad in his letter 1st read has submitted proposals for regularization of the services of certain daily wage workers working in Guntur district including Sri P. Rangaiah, daily wage worker.

2. Government after careful examination of the proposals of Commissioner of Social Welfare in accordance with the provisions of the Act 2/1995 and G.O.Ms. No. 212, Finance (FW.PC.III) Department Dt. 22-4-1994 and issued orders in the G.O.2nd read above regularizing the services of the individuals including Sri P. Rangaiah, Daily wage worker with prospective effect.

3. Aggrieved by the orders of the Government issued in the G.O 2nd read above, Sri P. Rangaiah, watchman whose services have been regularised with prospective effect has approached Hon'ble Andhra Pradesh Administrative Tribunal and filed O.A No. 2030/2001 seeking directions to the Government to regularize his services retrospectively. The Hon'ble Andhra Pradesh Administrative Tribunal in their orders 3rd read above, have directed the respondents to examine and consider the claim of the applicant to the limited extent as to whether he is entitled and is eligible for his services being regularized with effect from the year 1985, instead of 5-10-1999 in accordance with the relevant G.Os, Laws, Bylaws and Regularization etc.. and to pass appropriate written reasoned orders in respect thereof.

4. Government in due respect to the Hon'ble Andhra Pradesh Administrative Tribunal have examined the plea of Sri P. Rangaiah, watchman for regularization of his services from the year 1985 instead of 5-10-1999 and observed that the regularization of service of the daily wage workers with retrospective effect cannot be permissible in terms of G.O.Ms.No. 212, Fin& Plg, Dept. Dt. 22-4-1994. Therefore, Government in the memo 5th read above have rejected the request of the applicant.

5. Sri P. Rangaiah, watchman again approached the Hon'ble Andhra Pradesh Administrative Tribunal and filed O.A No. 20307/2012 for regularization of his services from the year 1985 instead of 5-10-1999. The Hon'ble Andhra Pradesh Administrative Tribunal vide their orders 6th read above directed the respondents to regularize the services of the applicant from the date of completion of five years, but not from 1985 as held by the Hon'ble Supreme Court in the above said case and pass necessary orders within a period of eight weeks from the date of their orders. The orders of the Hon'ble Andhra Pradesh Administrative Tribunal were upheld by the Hon'ble High Court and Hon'ble Supreme Court in the references 7th and 8th read above.

6. Government after careful consideration of the matter have decided to regularize the services of Sri P. Rangaiah, Watchman from the date of completion of five years continuous service, but not from 1985. Accordingly, the services of Sri P. Rangaiah, Watchman are hereby regularised from the date of completing five years continuous service but not from the prospective date of regularization of services of the individual subject to condition that this case should not be quoted as precedent in future.

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7. The Director of Social Welfare, Amaravathi is requested to take necessary further action accordingly and report compliance.

8. This orders issued with the concurrence of Finance Dept. vide their U.O.No.32026/60/A2/HR.III/2016, Dated: 20.09.2016

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Social Welfare
A.P. Tadepalli, Guntur district.
Copy to:
The P.S to Principal Secretary to Government,
Social Welfare (Ser) Department
The Finance (H.R.III) Department.
SC/SF

//FORWARDED BY ORDER//

SECTION OFFICER